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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/662,531	09/15/2000	Kannan Varadhan	La Porta 46-16-7-4-6	1919
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WERNER & AXENFELD, LLP P.O. BOX 1629 WEST CHESTER, PA 19380			EXAMINER SHAND, ROBERTA A	
			ART UNIT	PAPER NUMBER
			2616	

DATE MAILED: 06/30/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/662,531

Applicant(s)

VARADHAN ET AL.

Examiner

Roberta A. Shand

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 17 April 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 12 rejected under 35 U.S.C. 102(e) as being anticipated by Inoue (U.S. 6510153 B1).

3. Regarding claim 12, Inoue teaches (fig. 12) a method for configuring a mobile host when it powers up in a foreign network (col. 18, lines 59-62) comprising: using a M-IP protocol (abstract) in the host as the signaling mechanism for reaching the home network and dynamically allocating a temporary home address (col. 18, lines 63-67); and thereafter using DHCP with the temporary home address to allocate a permanent home address and other configuration state for the host (col. 19, lines 1-56).

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-11, 13 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Inoue in view of Warriar.

6. Regarding claim 1, Inoue teaches (fig. 12) a method creating a bootstrapping agent (col. 18, lines 59-62) that works cooperatively with a M-IP home agent to allocate a temporary home address to the host that powers up in a foreign network (Inoue teaches that the mobile is turned on in the visited site); using the M-IP protocol to contact the M-IP home agent and request the bootstrapping agent to allocate the temporary home address to the host (col. 16, line 60 – col. 17, line 16) including a permanent home address allocated by a DHCP protocol, thereby allowing the mobile host that powers up in a foreign network to connect to the internet.

7. Inoue does not teach using the temporary home address to create a temporary tunnel between foreign agents associated with the host and the M-IP home agent, wherein the temporary tunnel is used to communicate configuration information.

8. Warriar teaches (abstract) using the temporary home address to create a temporary tunnel between a foreign agent associated with the host and the M-IP home agent, wherein the temporary tunnel is used to communicate configuration information. It would have been obvious

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to one of ordinary skill in the art to adapt this to Inoue's system to ensure that the data is efficiently sent to the mobile when it is visiting another site (network).

9. Regarding claim 2, Inoue teaches (col. 5, lines 47-59) the foreign agent is co-located with the host.

10. Regarding claim 3, Warrier teaches (fig. 1) the foreign agent is located on a device that is external to the host and resides in the foreign network

11. Regarding claims 4 and 6, as for the bootstrapping agent assigning address from a pool of addresses, it is inherent in Inoue's system that a plurality of addresses are available in dynamic address allocation protocol (abstract).

12. Regarding claim 5, as for the private address taking the form 10\*, this is a well known format of address in private network's and It would have been obvious to one of ordinary skill in the art to adapt this to Inoue and Warrier's as it is in the art.

13. Regarding claim 7, Inoue teaches (col. 16, line 60 – col. 17, line 67) a DHCP client located on the host is used to generate messages requesting the configuration information from a DHCP server via the temporary tunnel.

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14. Regarding claim 8, as for the messages generated by the DHCP client are modified at the host to have a format consistent (col. 18, lines 59-62) with a DHCP relay, it is inherent in Inoue's system that messages generated by the DHCP client has a consistent format.

15. Regarding claim 9, Inoue teaches (fig. 3) a method, comprising: obtaining a temporary IP home address for the host powering up in a foreign network (col. 18, lines 59-62) without an IP home address from an IP address source accessible through a mobile IP home agent\; acquiring configuration parameters including a permanent IP home address from a DHCP server (fig. 4) in the home network of the host;

16. Inoue does not teach establishing a transient tunnel between the mobile IP home agent and a mobile foreign agent associated with the mobile host while the foreign network.

17. Warrior teaches establishing a transient tunnel between the mobile IP home agent and a mobile foreign agent associated with the mobile host while the foreign network. using the temporary IP home address (col. 6, line 62 – col. 7, line 6); replacing the transient tunnel with a new tunnel between the mobile IP home agent and the mobile IP foreign agent using the permanent IP home address, therefore allowing the mobile without an IP home address to connect to the Internet when powered up in a foreign network (Warrior teaches that once the mobile is in the foreign network, after registration of the mobile host, a tunnel is created to transmit data to the mobile host in the foreign network between the foreign agent and the home agent, see fig. 3). It would have been obvious to one of ordinary skill in the art to adapt this to Inoue's system to ensure that the data is efficiently sent to the mobile when it is visiting another site (network).

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18. Regarding claim 10, Inoue teaches (fig. 12) a method for enabling configuration of a portable host device that powers up in a foreign network to communicate using the internet, comprising: communicating a temporary home address to the host that powers up in a foreign network from bootstrapping agent operating cooperatively with a mobile IP home agent that serves the host device when it operates in the foreign network (col. 18, lines 59-62); and obtaining a permanent address from a DHCP server via the transient bi-directional communication link, wherein the permanent address use thereafter to configure the host to communicate with the internet.

19. Inoue does not teach establishing a transient bi-directional link between the host and the mobile IP home agent using the M-IP protocol and the temporary home address

20. Warriar teaches establishing a transient bi-directional link between the host and the mobile IP home agent using the M-IP protocol and the temporary home address (col. 6, lines 33 – 62, Warriar teaches data being sent to the mobile via the home agent, because of the permanent address being associated with the home agent, and the home agent sending the data to the mobile host via the foreign agent see fig. 3). It would have been obvious to one of ordinary skill in the art to adapt this to Inoue's system to ensure that the data is efficiently sent to the mobile when it is visiting another site (network).

21. Regarding claim 11, Warriar teaches (fig. 3) additional configuration parameters are provided to the host via the transient bi-directional communication link. (Warriar teaches setting up the lifetime with the home agent which is additional configuration parameters)

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22. Regarding claim 13, Inoue teaches (fig. 12) a method, comprising: a M-IP protocol to connect the mobile host that powers up in a foreign network to its home network (col. 18line 59 - 62) using an IP broadcasting (col. 12, lines 20-28) protocol so that the host can discover a addressing DHCP server in its home network, and using the DHCP protocol to communicate addressing and configuration information between the server and the mobile (col. 1, 1-56).

23. Inoue does not teach setting up a temporary IP tunnel

24. Warriar teaches (abstract) using the temporary home address to create a temporary tunnel between a foreign agent associated with the host and the M-IP home agent, wherein the temporary tunnel is used to communicate configuration information. It would have been obvious to one of ordinary skill in the art to adapt this to Inoue's system to ensure that the data is efficiently sent to the mobile when it is visiting another site (network).

25. Regarding claim 14, Inoue teaches (fig. 12) a method for configuring the mobile host when it powers up in a foreign network without an IP home agent address, comprising: obtaining a temporary IP home address for the host from an IP address source accessible through the home server (col. 6, lines 43-54);

26. Inoue does not teach establishing a transient tunnel between the mobile IP home server and a mobile foreign server using the temporary IP home address.

27. Warriar teaches establishing a transient tunnel between the mobile IP home server and a mobile foreign server using the temporary IP home address (col. 6, lines 63 – col. 7, line 6); acquiring via the transient tunnel, permanent configuration parameters including a permanent IP



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home address in the region served by the home server (Warrier teaches that the MBR created by the home agent has the IP address of the mobile); replacing the transient tunnel with a new tunnel between the home server and the foreign server using the permanent IP home address. It would have been obvious to one of ordinary skill in the art to adapt this to Inoue's system to ensure that the data is efficiently sent to the mobile when it is visiting another site (network).

### *Response to Arguments*

28. Applicant's arguments filed April 17, 2006 have been fully considered but they are not persuasive. Applicant argues that Inoue does not teach a method for configuring a mobile host when it powers up in a foreign network. Applicant is directed to col. 18, lines 59-62 where it cites "When a *mobile computer (mobile host) is turned on (powers up) at the visited site*, the mobile computer acquires the care-of-address". Applicant also argues that Inoue does not teach using the mobile host as the signaling mechanism for reaching the home network....and dynamically allocating a permanent home address for the mobile host. Applicant is directed to col. 17, lines 1-11 and col. 18, lines 63-67 where it cites the mobile computer (mobile host) receives a dynamic address allocation and the Mobile IP processing is between the mobile computer (mobile host) and the home agent (home network). Applicant argues that Inoue does not teach the home DHCP server to dynamically assign the permanent home address of the home network to the mobile host. Applicant is directed to fig. 16, where it is depicted the DHCP is in the home network, also fig. 12, where it shows the DHCP allocating a home address to the

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mobile computer (mobile host), and col. 17, lines 1-11, where it is cited the DHCP address is the home address.

***Conclusion***

**29. THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

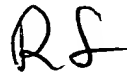
30. A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

31. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Roberta A Shand whose telephone number is 571-272-3161. The examiner can normally be reached on M-F 9:00am-5:30pm.

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32. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy Vu can be reached on 571-272-3155. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

33. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Roberta A Shand  
Examiner  
Art Unit 2616



HUY D. VU  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600